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ABSTRACT

Evidence concerning tenure as found in a review of the literature of more than 200 sources is examined. After addressing the tenure process, typology, history, the involvement of the American Association of University Professors, and current legal perspectives, the various alternatives to tenure are considered. The following systemic institutional variables are analyzed in relation to institutional type, to determine their relationship to tenure: teaching effectiveness, rewards and motivation, productivity and aging, collective bargaining, and promotion. It is concluded that there is not evidence to suggest that alternatives to tenure have improved faculty morale, productivity, institutional personnel flexibility, teaching, job security motivation, or led to decreased litigation or overall improved institutional effectiveness, however defined. Additional findings from the literature include: where differences between tenured and nontenured teachers have been found, tenured teachers have usually been rated as more effective than nontenured teachers; it appears that tenured teachers express higher levels of job satisfaction than do nontenured teachers; tenured faculty are not less productive after they achieve tenure, and productivity does not necessarily decrease with advanced age; tenured faculty favor collective bargaining less than nontenured faculty, although the more recent studies seem to find no difference between the groups; and it does not appear that collective bargaining has adverse effects on academic freedom and tenure. It is concluded that there is ample evidence to refute the view that tenured professors are ineffective teachers, or that teachers become unproductive and incompetent after tenure is awarded. Bibliographies are included. (SW)

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A SYSTEMIC APPROACH TO THE STUDY OF BENEFITS AND DETRIMENTS OF TENURE IN AMERICAN HIGHER EDUCATION: AN ANALYSIS OF THE EVIDENCE

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ABSTRACT

The primary focus of this paper is to ascertain evidence, if available, to determine whether or not the many opinion pieces which denigrate tenure are supported by evidence.

The paper is divided into three general parts. Part One briefly addresses the following concerns regarding tenure: typology, tenure process, history, AAUP involvement, and current legal perspectives. Part Two reviews the various alternatives to tenure which have been discussed in the literature. Strengths and weaknesses for each such alternative are presented. Part Three constitutes the major part of the study as its focus is the identification of systemic institutional variables and subsequent analysis thereof by institutional type to determine how tenure effects or is affected by each such variable. The variables selected for this part include: teaching effectiveness, rewards and motivation, productivity and aging, collective bargaining, and promotion.

A conclusion of the paper, based on the evidence provided from the extensive literature review contained therein (more than 200 sources), is that there is ample evidence to refute the opinions that tenured professors are ineffective teachers, and further, that teachers become unproductive and incompetent after tenure is awarded.

TABLE OF CONTENTS

Introduction 1

Part I. Background and Contexts 2
- Definitions 2
- Process of Receiving Tenure 4
- The AAUP and Academic Freedom and Tenure: A Limited Historical Perspective 5
- Current Perspectives on the Legal Rights of Tenured and Non-Tenured Faculty 8
- Summary 11
- References 12

Part II. Alternatives to Tenure 16
- Abolition of Tenure 16
- Term Contracts 17
- Modifications of Tenure 18
- Collective Bargaining as an Alternative to Tenure 20
- Summary 21
- References 23

Part III. Systemic Variables and Tenure 27
- Teaching Effectiveness and Tenure 29
- Motivation, Job Satisfaction, and Tenure 32
- Aging, Productivity, and Tenure 36
- Collective Bargaining and Tenure 40
- Promotion and Tenure 43
- Administrative Relationships and Tenure 45
- Summary 47
- References 49

Conclusions 59
- References 62

Introduction

> Tenure must be entirely done away with.
>
> How can institutions change internally with a highly tenured faculty, faculty who were castrated by the American graduate schools and whose main concerns were the traditional collection of credits, the passing of the preliminaries, and the writing of a ponderous dissertation designed to show a modest amount of talent and a great deal of pedantry?
>
> Tenure, as it now exists, is an economic panacea for the faculty. Perhaps we can go back to what it was originally intended for, a concept dealing with the right to say something in a classroom rather than right to a job (Simmons, 1975, p. 448).

This statement by Simmons is an example of the rhetoric which surrounds the issue of tenure. The articles and debates about its pro's and con's could be considered prodigious.

That this debate exists is not the issue. Rather the issue is whether or not the debate is even warranted. For if one could demonstrate with supporting evidence that tenure is either beneficial or detrimental to higher education, then, perhaps, the intensity of the debate would diminish. Further, and as Smith (1973) has observed, perhaps tenure is "neither the cause nor the solution to the principal problems facing higher education today" (p. 2). Affirmative findings in both instances would permit professors to return to the business of research, teaching, and service, and administrators to return to nurturing the teaching and learning process, rather than fighting and debating each other over the issue of tenure.

The purpose of this paper is to ascertain in a systematic fashion evidence about tenure. The format for this paper will, basically, follow three directions. Part One will briefly address the following concerns regarding tenure: typology, tenure process, history, AAUP involvement, and current legal perspectives. In essence, Part One should provide a context

for the problem. Part Two will deal specifically with the various alternatives to tenure which have been discussed in the literature. Strengths and weaknesses for each will be presented. Finally, Part Three will involve more directly a study of the evidentiary effects of tenure. The methodology in this part will be to identify a variety of systemic institutional variables and then to analyze each, accordingly to institutional type, to see how tenure effects or is affected by each such variable.

These, then, constitute both the concerns and the foci of this paper. As St. Onge has observed, "Let us review the evidence and arguments rigorously and then let the debate begin" (St. Onge, 1978, p. 4).

Part I. Background and Contexts

Definitions

The point of beginning will be to define academic freedom and tenure and, then, to observe the relationship of one to the other.

Academic freedom has been defined by the American Association of University Professors (AAUP, 1977) as a series of rights which accure to teachers in institutions of higher education:

> (a) The teacher is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of his other academic duties...; (b) The teacher is entitled to freedom in the classroom in discussing his subject...; (c) The college or university teacher is a citizen, a member of a learned profession, and an officer of an educational institution. When he speaks or writes as a citizen, he should be free from institutional censorship or discipline... (p. 2).

The Commission on Academic Tenure (1973) has defined academic freedom as:

> (T)he right, identified with the purposes of academic institutions, whereby members of the academic community are protected in the privilege to receive, discover, convey to others, and... to act upon knowledge and ideas. Academic freedom should be distinguished from the personal freedoms guaranteed by the constitution, through which it is sometimes reinforced in litigation (p. 256).

One of the earlier definitions of academic freedom came from Lovejoy as quoted in Boas (1953):

> (It is) the freedom of the teacher or research worker in higher institutions of learning to investigate and discuss the problems of his science and to express his conclusions whether through publications or in the instruction of students, without interference from political or ecclesiastical authority, or from the administrative officials of the institution in which he is employed, unless his methods are found by qualified bodies of his own profession to be clearly incompetent or contrary to professional ethics (p. 1).

The essence of academic freedom, then, appears to be the freedom of the "scholar within the institution devoted to scholarship" (MacIver, 1955, p. 3). MacIver additionally argues that academic freedom encompasses institutional, professional, and functional freedom for its holders. Finally, academic freedom has substantive, as compared and contrasted with procedural, qualities and characteristics.

Tenure, on the other hand, is viewed, basically, as having procedural qualities. A brief reading of AAUP documents re tenure makes this observation abundantly manifest. The Commission on Academic Tenure (1973) has defined tenure thusly:

> (A)n arrangement under which faculty appointments in an institution of higher education are continued until retirement for age or physical disability, subject to dismissal for adequate cause or unavoidable termination on account of financial exigency or change of institutional program (p. 256).

Metzger (1955) has likewise emphasized this procedural quality of tenure by noting that "academic freedom was the end: due process, tenure, and establishment of professional competence were regarded as necessary means" (p. 207).

Ab initio, tenure has never been intended by its proponents to mean permanent and indefinite or lifetime employment. On the other hand, tenure was conceptualized as a means to guard against "summary, unilateral, unexplained, and unreviewable" institutional removal except for extreme dereliction of duty. This fact has been argued quite ably by both Metzger (1973) and Van Alstyne (1971, 1978). The relationship between academic freedom and tenure, then, appears to be mutually complementary rather than

mutually exclusive. One's academic freedom is protected by tenure and without tenure, one can legitimately conjecture about the viability of academic freedom.

Process of Receiving Tenure

Now that a basic understanding of academic freedom and tenure has been presented, how does one go about receiving tenure? Again, AAUP documents (1977) spell out the procedure. The following procedures are fairly uniform and are, generally, followed by institutions.

A new faculty member is hired as a probationary faculty member for as long as seven years. Institutional expectations for the faculty member are usually spelled out in writing, via contract. Such contract would, usually, spell out particulars such as guarantee of academic freedom, salary, and evaluation procedures and timelines. During this probationary period, the burden to show teaching and research competence rests on the probationary faculty member.

After the probationary period has been completed, the institution will make a decision regarding whether this particular probationary faculty member is competent enough to move from probationary status to indefinite tenure status. If the probationary faculty member has successfully demonstrated competence, institutional tenure usually results. If the probationary faculty has failed to carry the competence burden, the faculty member is released from institutional employ.

A distinction suggested by Miller (1970) is that between tenure qua tenure and criteria for tenure. Criteria for tenure, or the qualifications one must present to be awarded tenure, tend to be institution specific. And these criteria should be a reflection of the mission and goals of each higher education institution. The criteria which would be expected of probationary teachers at the University of Michigan would vary dramatically

from the tenure criteria of a small, four-year liberal arts college that has a religious mission. In both cases, however, tenure could be granted. Further, since institutions do have differences regarding tenure criteria, there appears to be an observable lack of uniformity in institutional tenure plans, at least from a substantive standpoint. And procedural aspects of tenure may reflect similar diversities. Studies by Shaw (1971) and Byse and Joughin (1959) illustrate this diversity.

While criteria for tenure can and do vary, the criteria generally include a look at the probationary professor's past performances as well as potential future performances:

> The significant test is not so much what he has done but what he will do for some 35 years ahead: what he will do in teaching and research, and the influence he will exert on the direction of his department and of the university at large. Tenure should not be given because of past service or immediate services, but in anticipation of the long-term influence the candidate will exert. The decision for tenure is a major strategic decision. In case of doubt, that decision should be negative (Miller, 1970, p. 243).

A similar "future" perspective was also found by Hunt (1979) when examining a recent University of Michigan tenure-denial case.

After the probationary professor has been evaluated, a decision for or against tenure is rendered. One effect of the award of tenure is a shifting of the burden of competence from the professor to the institution. In the case of the tenured professor, a presumption of competence is given to the professor, and the institution, if it desired future dismissal, must rebut this presumption of professional competence. A decision resulting in a denial of tenure essentially means that the probationary faculty member has failed to rebut the assumed institutional burden of incompetence.

The AAUP and Academic Freedom and Tenure: A Limited Historical Perspective

One searching for a historical perspective on academic freedom and tenure has a variety of sources from which to choose. General historical

works on higher education which present limited perspectives on tenure and academic freedom include those by Hofstadter and Smith (1961), Rudolph (1968), and Veysey (1965). Broad historical perspectives on academic freedom can be found in Hofstadter and Metzger (1955), Metzger (1955, 1973), and MacIver (1955). Several recent dissertations have attempted to develop additional perspectives on the subject. These dissertations include those by Calvert (1975), Ferguson (1976), and Harris (1978). From these sources, individually and collectively, it is possible to construct a brief historical perspective of the development of academic freedom and tenure.

Institutions of higher education in the seventeenth century could, according to Metzger (1973), be characterized by independency from the state, but affiliation with an ecclesiastical body of one sort or another. As a result, at least for the private colleges, threats against professional tenure came not from the state, but, rather, from the church or from the institution itself through administrators and lay board members. As early as 1696, attempts were made to limit the tenure of "tutors", as faculty were then called, to periods of not more than either seven or ten years.

At the turn of the eighteenth century, isolated instances of attacks on tenure of professors were reported. In 1760, Harvard limited not only the length of a tutor's appointment, but, also, the length of time one could spend in each rank. Ultimately, however, Harvard began to see that "limited appointments... might be self-defeating, in that they were as likely to repel the worthy candidate as to eject the weak incumbent." (Metzger, 1973, p. 120) Accordingly, as endowed professorships became established free from tenure restraints, and further, as the distinction between "tutor" and "professor" increasingly broadened, Harvard, as early as 1820, began to establish on an institutional basis, undated or tenured professorships.

Concurrent with the Harvard practice, new state institutions began to practice one-year appointments for faculty which led to new appointments every year. Again, as Metzger (1973) has observed, many college presidents led the fight to abolish this "Draconian" one-year appointment system because "many of them perceived that annual reappraisals brought on annual seiges of springtime nervousness that imperilled the efficiency of the faculty" (p. 122).

Unfortunately, however, it does not appear that indefinite, as compared with definite, appointments to faculty positions included protection from unilateral and unwarranted institutional terminations. Rather, a definite appointment "predicted" when termination would result while there was no such prediction for an indefinite appointment. Furthermore, institutions were loathe to provide dismissed professors with any kind of a pre-termination hearing. As a result, between 1860 and 1914, out of sixty-eight faculty dismissals, only six had been preceded by a termination hearing. Many administrators, such as Harper of Chicago and Butler of Columbia, thought this type of procedural protection unnecessary. Judicial litigation only seemed to buttress this administrative position.

The development of tenure in many ways parallelled the development regarding academic freedom. The train of academic freedom traveled, initially, on the East coast, and its distinguished passenger list included persons like Gilman, Winehell, White, Sumner, Porter, and Ely. Hofstadter and Smith (1961) have provided opportunity to review, anecdotally, the positions and involvements of each such passenger. The religious bias and affiliation of many institutions merely served to exacerbate many of the academic freedom problems.

Hofstadter and Metzger (1955) have nicely summarized the nature of the "academic freedom" transition affecting colleges and universities as well

as other forces which would, also, lead to a new posture, and to some degree, a new function for the American university and college:

> By 1860 the signs were pointing to a drastic revision of the goals of the college system. The growing emphasis on scholarship, the questioning of old pedagogical assumptions, the enlarging scale of philanthropy, were converting the larger colleges into institutions geared for research. At the same time... the 'conserving' function of the college no longer loomed so large. The unhinging of moral certainties by urban living, the fading out of the evangelical impulse, the depersonalization of human relations in the process of industrial expansion, were destroying that integral vision, that firm and assertive credulity, required of institutions devoted to conservation. Two other forces were to consummate this shift from 'conserving' to 'searching' in the universities in postwar America. The first was to be the powerful impact of Darwinism, which would unlock the creative potential of American science. The second was to be the influence of the German University, whose scholarly lore and academic traditions Americans admired and adopted. By 1860, the American colleges stood at the verge of a new outlook; two or three decades later, they would possess it fully (pp. 316, 317).

In 1915, both the tenure and academic freedom positions were buttressed by a small but distinguished group of social scientists who founded the American Association of University Professors (AAUP). The goal of the organization was to protect academic freedom from unwarranted encroachment and, further, that tenure was to be the means to the protection of the end of academic freedom. Its 1915 Statement called specifically for a clearer understanding of the term of appointments as well as for procedural protections prior to faculty dismissal. As the parent of the academic freedom and tenure child, the AAUP has continued to play an active role regarding the progeny of the 1915 Statement. Additional statements were issued in 1925, 1940, 1958, and 1968. Ferguson (1976) and Metzger (1955) provide additional insight and particulars into the ultimate marriage of academic freedom with tenure as well as the development of the American Association of University Professors.

Current Perspectives on the Legal Rights of Tenured and Non-Tenured Faculty

General discussions of the legal rights of tenured and non-tenured faculty

members have been presented by Hollander (1978) and Kaplin (1978). The dissertations of Fisher (1976), Myricks (1974), Schwieso (1975), Thurston (1975), and Wilde (1976) are addressed to legal rights of faculty in public institutions of higher education. The dissertations by Burrows (1977), Giardina (1974) and Pickelman (1976) review the legal rights of faculty in a community college context. Those dissertations by Ancell (1978), Calvert (1975), and L. Metzger (1978) look at faculty rights through a distinctly historical perspective. Dissertations by Hasselbrinck (1975) and Rosenblum (1976) could be considered general legal discussions of the issues.

Studies by Brown (1977), Byse (1977), Finkin (1975), Matheson (1975), Rood (1978), Pettigrew (1970), Van Alstyne (1977, 1978) and numerous legal Notes and Comments are representative of the legal periodical literature on the subject of legal rights of tenured and non-tenured faculty members.

Briefly, legal rights of professors re termination vary depending on whether the institution is either public or private and further, whether the professor is either tenured or non-tenured. In public institutions, tenure is viewed as a property right which can only be taken away by due process of law. The process which is "due", however, is generally determined by each institution and not by the courts. Judicial evaluation of the process is generally directed towards ensuring the constitutional adequacy of the process and to making sure one's First Amendment rights have been free from institutional encroachment. Courts have judicially accepted the procedual practices suggested by the AAUP as being legally sufficient. Few, if any, courts have found that academic freedom is a constitutional right.

A non-tenured professor in a public institution does not have the right to "due process" prior to termination unless specifically guaranteed by contract

with the institution. Non-tenured professors are not generally viewed by courts as having a continuing interest in employment, and, hence, have no property rights worthy of protection. The exceptions to judicial non-review appear to be when a non-tenured professor has earned "de facto" tenure and when the reason for termination is alleged by the professor to have been the exercise of constitutional rights.

In the private institution, the basis for protection of tenure is exclusively by contract. Since most private institutions do not fall under the requirements of constitutional law, constitutional due process procedures used in public institutions are legally irrelevant. If either tenured or non-tenured professorial contracts are lacking in necessary due process protections, an aggrieved professor will not be able to have such set aside unless the contract is not a valid contract or it violates public policy. The rights of faculty, both tenured and non-tenured, can be much more limited in a private institution than they can in a public institution. And, even in a public institution, the rights of faculty, if guaranteed only by contract, are limited. As Van Alstyne (1978) has observed:

> (C)ourts are generally available... only to insure that the institution shall in fact do what it has specified. Even at the highest level of law, constitutional law, this is the situation. 'Where no rebuttable presumption of fitness has been established regardless of the length or excellence of faculty service, when no promise has been made to terminate the faculty only for such cause as may be shown in a fair intramural hearing, there is perforce nothing to hope for from the courts. In brief, what you see is, in general, what you get. Courts may enforce the procedural safeguards of tenure; they do not, however, invent them' (p. 46).

The picture is not much brighter re the rights of tenured faculty when dismissal or termination results from financial exigency. In a study by Mix (1978), she found that the general procedural protections which accrue to tenured faculty members do not apply when the "bona fide" reason for termination is financial exigency. Wilson (1977) has made similar observations.

Regarding tenure and financial exigency, tenure does not provide a guarantee of non-dismissal in public and private institutions when institutional changes such as declining enrollments, reduced demand for services and/or programs, and unavoidable financial difficulties result. Mix has suggested the various formal and informal methods which are available to institutions and faculty when working through difficulties resulting from financial exigency.

Summary

These four tenure perspectives, historical, legal, definitional, and procedural (how one receives tenure) help provide the context for the primary foci of this paper. Before the evidentiary analysis of tenure is pursued, however, the various alternatives to tenure will be presented and discussed.

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Part II. Alternatives to Tenure.

Alternatives to tenure can be subdivided into at least four categories. In the first instance, tenure can be completely abolished. In such a situation, no one on the faculty holds tenure and faculty are employed by contract for a definite term of service. Examples of institutions which have abolished tenure include Hampshire College and Evergreen State College. The Hampshire College plan has been discussed by a variety of authors, including Lunine (1974) and Vaccaro (1977). A second option to tenure is wide use of a variety of tenure contracts. There are a variety of such options which have developed. A third alternative to tenure is a modified tenure system. In such a situation, tenure may be retained, but it is extensively modified. A fourth alternative to tenure is the use of collective bargaining agreements.

The distinction, admittedly, between a tenure system and a contract system is somewhat artificial. After all, one who holds tenure holds such by some type of agreement, whether AAUP guidelines or documents of institutional understanding. In a sense, then, professors who hold tenure hold such via contract, whether express or implied, whether oral or in writing. A contract exists nevertheless. As used hereinafter, therefore, a contract system assumes an explicit and unambiguous understanding of the express obligations of each party during a limited or definite period of employment.

Abolition of Tenure.

As noted above, institutions which have abolished tenure tend to be small liberal arts colleges and community colleges. No major institutions of higher learning have yet abolished tenure or adopted a contract system (Linney, 1979). Reasons suggested for the abolition of tenure include the following:

> Since academic freedom must be assured to all teachers, academic tenure is not essential to academic freedom, but what is essential

> is academic due process; tenure imposes inflexible financial burdens upon institutions; it diminishes an institution's opportunity to recruit and retain younger faculty; it leads to diminished emphasis on quality undergraduate teaching; it encourages the perpetuation of established departments and specialities; diminishes accountability and fosters mediocrity; forces decisions on permanent appointments before an institution has time to assess an individual's competence; encourages controversy and litigation about non-renewal of probationary contracts and denial of tenure; provides a cloak under which irresponsible political activity can be carried on; commits the institution but not the individual; concentrates power in the hands of professors on permanent appointments and thus diminishes the role of students and younger faculty members in university affairs. (Pfnister, 1975, p. 184).

Persons such as O'Toole (1978) and Silber (1973) have suggested similar reasons. Supporters of tenure, on the other hand, argue that tenure is essential for academic freedom:

> Creates an atmosphere favorable to academic freedom for all - the non-tenured as well as the tenured; contributes to institutional stability and spirit; assures that judgments of professional fitness will be made on professional grounds; forces decisions at definite times regarding retention; attracts men and women of ability into the teaching profession; helps offset generally lower financial rewards of higher education by providing security. (Pfnister, 1975, p. 184)

In the Commission on Academic Tenure's report (1973), thirty-two percent of all two-year schools and six percent of the private four-year colleges were reported to operate without tenure. These institutions represented in 1972 some fifteen percent of all higher education institutions, but only about five percent of total faculty members in the United States.

Term Contracts

Institutions involved with the use of term contracts use such to cover a variety of professional expectations. There are "growth contracts, development contracts, learning contracts, rolling contracts and term contracts." (Linney, 1979, p. 6) Under the term contract, its proponents suggest that academic freedom is still preserved (O'Toole, 1978), institutional needs are better met (Longworth, 1977 and Vaccaro, 1977), a high percentage of contract renewal results (El-Khawas and Furniss, 1974), and more individualized treatment of faculty members results (Lavaroni and Savant, 1977).

Modifications of Tenure

A tenure modification generally permits a traditional form of tenure to remain in place, but several modifications are usually made. Examples include the following:

> Extension of the probationary period, establishing periodic evaluation of tenured faculty, adopting a contract system prior to or subsequent to the probationary period, establishing nontenure track or academic staff positions outside of existing tenure systems, establishment of tenure quotas, and the extensive use of part-time faculty appointments. (Linney, 1976, p. 6)

Other interesting modifications have been suggested by Mendels (1977) and more recently by Dworkin and Johnson (1979). In the latter instance, tenure and faculty agreements are analogized to the agreements for drafts, free agents, and waiver status practiced in professional athletics. Each of these modifications has its proponents, but much of the literature evaluating such is opinion. These suggested modifications, also, suffer from a valid point of comparison. Most of these modifications are relatively recent and results or impacts of such modifications have yet to be documented. One or two of the more interesting aspects to tenure modification, however, will be explored.

Both Hodgkinson (1971) and Silber (1973) argue persuasively that the seven year up-and-out rule of the AAUP ignores differing developmental characteristics of each faculty. Their opinion essentially is that faculty evaluation must be linked to individual human development. Whereas one member of the faculty might be "productive" after four years, another might need ten years in order to produce results. Admittedly, this is opinion on their part, but one familiar with the literature of human development could possibly recognize the credulity of their arguments. Van Dyne's account (1973) of Union College's challenge to the seven-year up-and-out rule portrays ostensibly, a different motive for relaxation of the probationary (seven year) period than that argued by Hodgkinson and Silber. At Union, the motive was a desire to keep young deserving scholars qualified for tenure but not

admitted to tenure because of institutional tenure quotas.

Probably of all the above referenced tenure modifications, the use of tenure quotas has received the greatest amount of attention. Foremost critic of this modification has been the AAUP (1977). Support for tenure quotas appears to be growing (Chait, 1976 and Linney, 1979). The primary benefits of tenure quotas appear to be institutional financial and planning flexibility. The disadvantages of a tenure quota argued by Chait include an end to meritocratic evaluations and low morale on the part of junior faculty. Contrariwise, he has suggested nine alternatives to tenure quotas which institutions are advised to consider. But, again, Chait's persuasive arguments appear to constitute opinion rather than evidence. Studies reported by Furness (1974) do show that quotas tend to "drive young faculty from academia and possibly make faculty more receptive to collective bargaining. One of his observations is that, given current law on financial exigency, even if a department is completely tenured in, flexibility is still possible. Regardless of how the tenure quota issue is resolved, "steady-state staffing" appears to be coming a skill worthy of mastery by administrators and faculty. Troutman (1976), Luecke (1974), Stockon State College (1977), Johnson (1978), Malpass, Montgomery, and Price (1974), and Oliver (1969), have all suggested "steady-state" paradigms or models suited for institutional use and planning. What the alternatives to tenure models seemingly all fail to address is the observation made by Eddy (1975):

> Under virtually any system of faculty appointment individuals will receive steadily increasing salaries as they rise in rank and age. A contract system would surely not automatically ease the fiscal burden of seniority. In a no-growth context, seniority will be on the rise, and with it the average cost of a faculty appointment (p. 406).

Collective Bargaining as an Alternative to Tenure

As part and parcel of conditions of employment, there seems little doubt that academic freedom and tenure are subject to negotiation during collective bargaining. This is much to the dismay of persons like Van Alstyne (1971) and Menard (1975). The fear of both is that, under collective bargaining, items which have for years been held in high esteem, such as tenure and academic freedom, will be bargained away for a "bowl of soup". Brief review of collective bargaining agreements at the University of Connecticut (1977), Eastern Michigan (1976), Fairleigh Dickinson (1977), Cincinnati (1977), Western Michigan (1977), Temple (1978), and Wayne State (1976) all evidence the fact that tenure and/or academic freedom have been items for negotiation. McDonald (1975) has reported that in the bargaining process, academic freedom and tenure have, generally, been viewed as separate issues for negotiation. As McHugh (1973) has observed, however, just because an item is a subject for negotiation does not mean that "it must be negotiated or that, if it is negotiated, agreement has to be reached. All that is required is that the parties negotiate the issue in good faith" (pp. 204-205). As of May, 1978, some six hundred campuses have collective bargaining agreements. While initially opposed to collective bargaining, the AAUP has now become a bargaining agent (Pfnister, 1975).

In studying the causes or reason for collective bargaining, Carr and VanEych (1973) have included as such a reason "substantial dissatisfaction with existing conditions of employment" (p. 20). McHugh (1973a), while less specific than Carr and VanEych, notes that by definition "collective bargaining is a process designed to resolve conflict arising from an employment relationship" (p. 145) and, hence, collective bargaining presupposes conflict. The findings of Muller (1973) are in accord. Interestingly, the literature appears to indicate, although there are exceptions, that tenured faculty and

faculty of high rank are less favorably disposed to collective bargaining than non-tenured faculty (Armstrong, 1975; Jones, 1976; Minus, 1974; Parr, 1977; Riley, 1976; and Storholm, 1975). McKeever (1978) found that collective bargaining had not played a significant role in the safeguard of academic freedom. The significance of these studies appears to be that the younger, non-tenured faculty members, subject to tenure quotas and/or holding non-tenure track appointment may be more in favor of collective bargaining than those older faculty who hold tenure. Just as Kuh and Radner (1978) found tenure to be an economic variable, these studies appear to show that tenure or the lack of it is a collective bargaining variable as well. As early as 1973, Ladd and Lipset observed that tenured professors took strong issue with non-tenured faculty and other union supporters who argued that tenure ought to be a "nonacademic" judgment. It is possible to conjecture, therefore, that avid institutional pursuit of alternatives to tenure may, also, serve to accelerate the advent of campus collective bargaining.

Summary

One is tempted to take the earlier referred to list of the shortcomings or objections to tenure and turn them into affirmative statements that all these objections have been corrected by pursuit of tenure alternatives. That conclusion, however, is warranted neither by common sense nor by the evidence. Statements of hoped for benefits abound but systematic study of tenure alternatives has yet to be accomplished. Linney's comments (1979) appropriately summarize the evidentiary support, or lack of it, for tenure alternatives or modifications:

> All of the major alternatives or modifications to tenure systems have institutional adherents. Beyond advocacy, however, serious evaluation is still lacking. While there is discussion in the literature of most of the alternatives and modifications described above, much of this is descriptive or a matter of advocacy and not analytical (p. 7).

In sum, there is no evidence to suggest that alternatives to tenure have improved faculty morale, productivity, institutional personnel flexibility, teaching, job security motivation, or led to decreased litigation or overall improved institutional effectiveness, however defined. Such evidence may be forthcoming. It is incumbent upon those who call for modification to tenure, particularly drastic modification, to demonstrate with evidence not only the benefits of such alternatives or modifications, but also the nexus, including casuality, between tenure and current institutional malaise.

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Part III. Systemic Variables and Tenure

> We live in a society that is pragmatic, opportunistic, materialistic, and fundamentally anti-intellectual. The professor is the butt of innumerable jokes, none of them flattering to him. When he endeavors to participate in public life he often becomes in the public mind a national menance. (DeVane, 1957, p. 11)
>
> Despite the fact that research is the byword of universities and to many faculty the open sesame to freedom (or relief) from teaching students, I know of practically no other major field of endeavor that has been the subject of so little research (on faculty recruitment and motivation). (Stecklein, 1961, p. 11)

Although both of these statements are almost twenty years old, both nicely summarize and juxtapositon the current dilemma re the issue of tenure. Professors are subject to criticism because they hold tenure. Yet, there is a paucity of research in the literature regarding multifold institutional or professional faculty variables and the relationship thereof to tenure. This is not to say there are not opinion pieces on the matter. The search, however, is for evidence, and in particular, evidence which has causal properties. That is to say, the search is for evidence that suggests that because a professor has tenure, he or she will be a better or worse teacher, advisor, colleague, researcher, and so forth.

One has to search seemingly far and wide to discover this type of evidence. One early study by Stecklein (1961) speaks of related matters when he concludes that persons choose the employ of a particular institution not because of salary or academic rank offer, but, rather, because of the reputation of both the department as well as the university. This speaks to the motivation of the faculty member. Another study by Clark (1961) involved aspects of professor evaluation. Items included by Clark were productivity (in terms of articles published) and related faculty research. Since both of these studies did not control for either academic rank or tenure status, the results of such have limited value for purposes of this study.

Lazarsfeld and Thielens (1958) attempted to study in depth, college teachers. Their references to tenure, however, are rather limited. One is worthy of note. Lazarsfeld and Thielens found that when permissiveness as a bias factor related to age is controlled, older faculty members are less apprehensive than younger faculty members. And within each age bracket, this continued to be the case, regardless of whether or not one had tenure. Conjecture is, then, offered to explain this finding. As they have noted, "(N)one of the elements of objective security - tenure, professional status, outside income - which come with higher age are noticeably related to apprehension" (p. 241). For purposes of this part, one can conclude that tenure does not reduce the apprehension of faculty members, but the reasons for this appear to be unknown. Work by Fahrer (1978) tends to corraborate these early findings by Lazarsfeld and Thielens. Fahrer has, additionally, observed differences in faculty stress based on institutional type, with the least amount of stress in the community college faculty and the greatest amount of stress at large land-grant type universities.

Another study which, in a very limited way, involved tenure as a variable was the study by Brown (1967) on the mobility of professors. He found that the mobility of tenured professors was less than that of non-tenured professors, even after a correction was made for age differences. But, again, this is more a phenomenological observation than one of causation.

Aside from these aforementioned sources, studies which have had as their emphasis the causal relationship between tenure and individual and/or institutional variables are quite limited. A major exception appears to be Blackburn's study (1972) on tenure. The emphasis of Blackburn's effort shares the foci of this paper in that his search and analysis of the literature includes an analysis of causal connections between tenure and other systemic variables, either individual or institutional. As a result, his study will be referred

to in subsequent sections of this study.

With this brief introductory background to Part Three, the emphasis of this section will be delimited. The primary foci will be directed at analysis of at least six aspects of tenure and variables related thereto. These variables are as follows: teaching effectiveness, rewards and motivation, productivity and aging, collective bargaining, promotion, and faculty-administrative relationships. Where possible, the results will be presented and discussed by institutional type.

Teaching Effectiveness and Tenure

Does tenure make a difference in the effectiveness of teaching? Another way of posing the inquiry is to ask whether non-tenured faculty are more effective teachers than tenured faculty? One of the difficulties in approaching the problem in this way is that many of the relevant studies fail to make the distinction as to whether or not students are evaluating a course based on what they have learned or based on the affective characteristics of the faculty member.

Two pieces by Eble (1971, 1973) explore the relationship between tenure and teaching and in both, his conclusion is that no evidence exists which shows that teaching effectiveness suffers because of tenure. His arguments that teaching is enhanced by tenure are very persuasive. His criteria for achieving excellence in teaching, to wit: 1) freedom to explore, invent, and imagine; 2) liberty to push against boundaries and limitations; 3) freedom to weed out the best persons; 4) need for flexibility and security; and 5) freedom from a climate of fear, are enhanced by tenure. He introduces no evidence, however, to show that tenure serves to effect these criteria or that alternatives to tenure would not likewise effect such. His observations, on the other hand, that tenure should not be blamed for poor teaching, that firing all tenured teachers would not improve teaching, and, further,

that good and bad teachers are found in both tenured and non-tenured positions appear to be supported by evidence.

Blackburn's observations (1972) regarding the relationships between tenure and teaching effectiveness are somewhat inconclusive. They show that students perceive good teaching to be a function of academic rank. That is, positive student evaluations of teaching effectiveness increased with faculty rank. He does note contrary evidence. Again, however, these studies do not show causality or that effective or ineffective teaching is a function of tenure.

In a study by Arreola and Heinrick (1977), they found that student ratings of teachers reflected no differences between rated faculty effectiveness and academic rank with the exception of full professors who were rated as slightly more competent than faculty in other ranks. In a study done by James (1975) to test the hypothesis that there is no difference between tenured and non-tenured faculty re teaching effectiveness, she found that there were significant differences (.05 level of significance) between tenured and non-tenured faculty. Specifically, she found that non-tenured teachers received better ratings than tenured faculty members.

In terms of teaching effectiveness based on institutional type, the following study involved a four-year college. Wheeler (1972) found that tenured and non-tenured faculty members shared similar opinions regarding the appropriateness of student ratings. In small state universities, Gupta (1974) found that teaching assistants were rated higher than either instructors or full professors. At large universities, Romeo (1977) found that differences in teacher evaluations by academic rank were not statistically significant. Delaney's findings (1977) show that there is a positive relationship between length of teaching experience and student ratings.

In two-year colleges, Gibson (1977) found that demographic variables such as tenure did not significantly affect results of student evaluations. Additional studies of teaching effectiveness where institutional type was not specified reflect results similar to the above findings. Haney (1976) found that instructors' rank, research productivity or teaching experience show no significant relationship to student ratings of faculty. Robustelli (1977) found that students gave higher ratings to full professors than to assistant professors. Slater (1976) found that, in general, student ratings of college faculty tended to be skewed toward the positive end of the evaluation scale, regardless of rank or tenure. Burnstein (1973) found that the highest rated upper division faculty published significantly more than lower rated upper division faculty. By inference, then, the highest rated faculty were, also, the most productive in terms of publication. Burnstein did not control for either rank or tenure.

Summary analysis of these studies would indicate, with the exception of the study by James, there is either no difference in effectiveness of teaching based on rank or tenure status, or where differences have been found, the more effective teaching has been found among tenured faculty in higher ranks. Further, effectiveness of teaching findings appear to remain constant across institutional type. With the exception of the James study, it does appear that the evidence warrants the conclusion that tenured teachers are not less effective teachers than untenured teachers or, conversely, that untenured teachers are not more effective teachers than tenured teachers. The James study does not deal with the issue of causation. In other words, such study does not warrant the conclusion that, because teachers have tenure, therefore, they are less effective teachers.

Motivation, Job Satisfaction, and Tenure

The key inquiries relate to the relationship of these three variables. Does tenure or the desire to acquire tenure, for example, serve as a type of motivation for faculty and, hence, as a type of extrinsic reward which motivates faculty? The attempt, in this subpart, will be to review literature on job motivation, both within and without higher education, and, then, to examine tenure as a source of motivation and job satisfaction.

The classic works on motivation appear to be those by Herzberg (1957, 1959), McClelland (1953), and Whyte (1955). More recent works include those by Atkinson (1964) and Indik (1971). Herzberg (1959) distinguishes between "hygiene" factors of a job and "motivators" of a position. "Hygiene" factors relate to the conditions which surround the job, whereas "motivators" are the factors within a job which actually serve to motivate an individual. While Herzberg would argue that hygiene conditions can help improve the work environment, his main appeal would be to focus on the job itself so as to maximize "the ability of workers to achieve goals meaningly related to the doing of the job" (p. 132).

Additional studies on motivation are rather diverse and of uneven quality. New (1978) attempted to discover whether extrinsic sources of motivation tended to undermine a worker's intrinsic motivation. He found, with a limited exception, that extrinsic rewards tended to reinforce intrinsic motivation. Hoh (1976) found that company and position tenure were not related to job involvement. Franklin (1978) found that extrinsic rewards (here, a stock option) did positively affect worker motivation. Efron's study (1976) found that extrinsic reward systems (here, monetary incentives) did not serve to decrease intrinsic motivation.

With regard to motivational studies involving college faculty, Corwin (1977), in attempting to study what factors motivated faculty toward involve-

ment with professional improvement, found that of a wide variety of outcomes or motivators, prestige, pay, and promotion ranked the lowest. This study involved two-year college faculty. Wood (1973), also in a community college setting, found that "motivator" factors were significantly more related to job satisfaction than "hygiene" factors. In a study involving private liberal arts colleges, Tarvin (1972) found that nonmaterial rewards had more positive motivational effort on faculty than did material rewards. McKee (1974) found similar results among nursing faculty in a four-year college.

With regard, then, to motivation, faculty tend to be as motivated, if not more motivated, by intrinsic factors as much as by extrinsic factors, and further, that extrinsic forms of motivation do not diminish intrinsic forms of motivation. No studies were found that related tenure to job motivation. As a result, it is not possible to conclude that tenure either serves to motivate or fails to motivate faculty. What about job satisfaction?

As with the inquiry regarding motivation, the key focus will be on the relationship between tenure and job satisfaction. Do tenured professors, for example, experience higher levels of job satisfaction than nontenured professors, and is there a causal nexus between the two?

There are a variety of studies outside of higher education which focus on job satisfaction. Craft (1977) found that extrinsic rewards did effect self-reports of job satisfaction. Suggs (1973) found that printers exhibited higher levels of job satisfaction as job tenure and length of training increased. Brown's findings (1974) show a positive predictive relationship between job satisfaction and personnel policy. Kovack (1976) found that, while smaller organizations exhibited higher levels of job satisfaction, there was less job turnover in larger organizations. This variance is, possibly, explained by the presence in larger organizations of improved "hygiene" factors. Fatehi - Sedeh (1976) reported findings which show that the more a job is

rewarding intrinsically, the less need there is for extrinsic rewards. His study involved manufacturing managers. Houser's work (1977), involving engineers, attempted to determine the relationship or congruency between workers' life style, behavior, perception of work group structure, and improved job satisfaction. He found no such relationship. Thompson (1977) found that age, income, and length of service had a negligible impact on job satisfaction. Bradford (1976) found that job dissatisfaction (involved Postal Service workers) was a function of either excessively rigid or lax working conditions. Voydanoff (1974) found that worker job satisfcation could not be predicted exclusively by either intrinsic or extrinsic job characteristics. Faris (1976) found that "company and job tenure did not affect overall job satisfaction..." (p. 6600A). On the other hand, he found that job achievement and progression through the organizational hierarchy do relate positively to job satisfaction. Saul's findings (1976) involving the relationship between job tenure and job satisfaction are similar to those by Faris. In summary, from this review of studies re job satisfaction outside of higher education, increased job satisfaction does not appear to result from increased job tenure or longevity in a position. Sugg's study is the exception to this. Additionally, the studies show that a wide variety of factors contribute to job satisfaction. Are these findings, however, consistent with studies of faculty and job satisfaction in higher education?

Clark (1973) found that faculty members experienced a high level of job satisfaction with intrinsic aspects of their jobs. Finkelstein (1978) and Reely (1976) reported similar findings. Harshberger (1975) found that tenured professors in upper academic ranks teaching in smaller, older colleges expressed significantly higher levels of job satisfaction (.01 level of significance) than did untenured, less experienced teachers in newer colleges.

In two-year colleges, Kepple (1978) found that older tenured faculty

were more satisfied with their jobs than younger nontenured faculty. Wozniak (1973), in her study of music faculty, found that overall job satisfaction was not related to age or years of teaching experience. Poosawtsee (1973) observed similar findings, but found that age and years of teaching experience did relate positively to extrinsic levels of job satisfaction. Findley's study of business teachers (1976) resulted in the conclusion that age and years in present position are positively related to job satisfaction. Rada's conclusion (1975) was that length of service made no significant difference on faculty job satisfaction. Similar findings have been reported by Goodwin (1978).

In the private liberal arts college Morgan (1974) found significant (.05) differences in job satisfaction of tenured and non-tenured faculty. Regarding job satisfaction in state universities, Leon (1973) found that the job satisfaction of faculty was determined primarily by "motivators" while job dissatisfaction was determined primarily by "hygiene" factors. Hodge (1976) found that job satisfaction increased with years of professional experience gained. Enos (1976) found that among social work faculty, those faculty holding tenure and in the higher academic ranks and under age thirty-nine years of age reported higher levels of job satisfaction than nontenured faculty in lower academic ranks. Sprague (1974) found that tenured faculty were "significantly more satisfied with their work and pay than nontenured faculty" (p. 2018A).

The findings of job satisfaction of faculty in higher education seem to warrant at least three observations. First, intrinsic motivation appears to serve as a source of job satisfaction while the non-existence of appropriate "hygiene" factors or extrinsic motivation can lead to job dissatisfaction. Second, tenured professors do express higher levels of job satisfaction than

nontenured professors. No studies were found that showed the reverse. There were several studies which reported findings of "no significant difference". Third, these findings appear to remain consistent across institutional type and academic discipline. The limitation, however, is that none of these reported studies focused on the issue of causality. Accordingly, one can only conjecture that, because of tenure, faculty express higher levels of job satisfaction. Finally, these findings on job satisfaction re tenure do differ somewhat from the findings on job satisfaction of persons outside of higher education.

Aging, Productivity, and Tenure

The search for evidence re the relationship between aging, productivity and tenure will attempt to answer questions such as: Does productivity decline with age? Further, are nontenured professors more productive than tenured professors? Finally, does faculty productivity diminish after the receipt of tenure? The implicit assumption behind these questions is that as one gets older, decrements in learning and intelligence take place. As a result, one might expect productivity, however defined, to decrease whether one held tenure or not. The initial thrust of this subpart will be to look at the literature on aging and the effect thereof on intelligence and learning.

There appears to be little doubt that the American professoriate is growing older. Based on projections of the Carnegie Commission and as reported in Dresch (1975), by the year 1990, some eighty-seven percent of faculty will be more than forty years old. The Commission's projections have not taken into consideration the effects of the raising of the new mandatory retirement age to age seventy. So it is not unlikely that the percentage could be even higher than the eighty-seven percent reported by the Commission.

The literature on aging is quite diverse. Gross (1977) argues that because of the atrophy which characterizes older faculty members, the successful

pursuit of professional development programs for older faculty is unrealistic. He cites evidence to bolster his conclusions that persons over age fifty have a tendency to be more intolerant and rigid, and further, aging persons suffer a substantial drop in IQ. Biren (1964) has reported that one's problem-solving orientation probably does decline, but such decline is a function of years since school as well as good health. LaRue and Jarvik (1978) report that, though there may be a decline in intellectual functioning, initial educational level and occupations requiring high levels of intellectual abilities are important variables. Botwinick (1973) has argued that in terms of learning ability, there is no age deficit and that "only in the non-cognitive, response sphere did the older subjects perform less well" (p. 221). In another study (1977), Botwinick reports that if there is a decline, it does not take place before age fifty or sixty, and such decline would be small. Further, "cross-sectional and longitudinal studies suggest that people who perform relatively well when young will, also, perform relatively well when old" (p. 603). The findings of Arenberg and Robertson - Tchabo (1977) are that among some seventy-year-old persons, differences between verbal learning are indistinguishable from those much younger. Schaie and Labouvie - Vief (1974), while admitting to some biological decline based on age, have been resistant to accept the causal inferences relating to decline in other performance areas: "(T)he assumed causal sequence from biological to performance decline has rarely been based on research that goes beyond correlative evidence" (p. 319). Candor calls for the admission, as a result, that the search for truth in this area is far from finished (Anders, Fozard, and Lillyquist, 1972; Baltes and Schaie, 1976; Blum, Fosshage, and Jarvik, 1972; Horn and Donaldson, 1976; and Horn and Donaldson, 1977). It is fair to conclude that Gross's claim to the decline theory based on the "weight of evidence" rings a bit hollow. The evidence does warrant the conclusion that advanced age of and

by itself will not necessarily lead to a decline in productivity or performance measures. But, what about college faculty? Does faculty productivity decline with age?

According to Blackburn (1972), the reported studies are not "mutually corroborating". Some studies show decreases while others report increases. There is evidence, according to Blackburn, that suggests that productivity, used in its broadest sense, increases with age up to a certain point. According to Lazarsfeld and Thielens (1958), faculty productivity by age-group is slightly higher in the "51 or older" group than for the "41 to 50" age group. The productivity of these two groups is about double the productivity of the group "40 or younger". Least one cast an overly broad net re age and productivity, the Lazarsfeld and Thielens data, also, show a strong relationship between faculty productivity and social origin. Bayer and Dutton (1977) conclude that career age (and possible tenure status) is a poor predictor of one's professional research activity. Their research found a drop in such activities during mid-career and a rise during late-career.

Several dissertations have dealt with the subject of productivity and aging. Hall (1975) defined productivity as publication, and found that number of years in higher education was a good predictor of faculty productivity. He, also, found disciplinary differences in publication productivity. Behymer (1974), also, studied faculty productivity. Several of his hypotheses were that increased productivity would result from those faculty of higher academic rank, those with tenure, and from older faculty. Interestingly, he found that "faculty produce at a substantially higher rate at each higher rank" (p. 68). He, also, found that "tenured faculty publish at a much higher rate than untenured faculty" (p. 71). With regard to age, "productivity does vary during a career, and does decrease with age, but the highest producers tend to remain relatively high producers over time" (p. 77). His data, also, suggest that with

age, a faculty member's interest in teaching increases and interest in research declines. Morgan (1978) found similar results. Sass (1975) concluded that older faculty still publish at rates comparable to other age groups.

There does, therefore, appear to be evidence in support of the proposition that productivity, as measured primarily by faculty publications, does not necessarily decline with age. One limitation to this conclusion is that it may be institution-type specific. In other words, at small liberal arts colleges where productivity is not measured by publications, but by other criteria, this conclusion will provide small consolation to those persons interested in the relationship between age and productivity.

The third question raised in this subpart relates to tenure and productivity. Are tenured professors more productive than nontenured professors? Behymer's study (1974) reported above has answered this question in the affirmative. Trow (1977) indirectly provides a similar answer. After noting that the percentage of tenured professors (between 1969 and 1975) had increased, he, also, observes that the percentage of all faculty during this same time period who had not published had decreased from seventy-five percent to sixty-six percent. While the connection is not strong, it appears that increased publishing has been at least a side effect of increased awards of tenure. Finally, Walden (1978) found that faculty productivity had not decreased after the award of tenure: "the findings tend to dispel the conventional wisdom which assumes lowered productivity follows the conferral of tenure" (p. 2783A).

Regarding productivity, age, and tenure, therefore, what conclusions from the studies can be drawn? First, the general literature on aging does not

compel the conclusion that as one gets older, decreased intellectual facility results. Second, and regarding faculty productivity, such does not decrease with age between certain ranges. Behymer's data, for example, show that faculty interest in research is highest between the ages of thirty and fifty-four. Third, the evidence does not show that decreased productivity results after faculty acquire tenure. Again, the limitation is that faculty productivity studies tend to translate faculty productivity as faculty publication. Accordingly, the findings reviewed may have limited applicability to the institution which measures productivity by non-publication criteria.

Collective Bargaining and Tenure

Is there a conflict between tenure and collective bargaining? Do tenured faculty favor collective bargaining more than nontenured faculty? These are the kinds of questions for which evidence will be sought in this subpart. Reference should be made to the brief review of collective bargaining as an alternative to tenure as set forth in Part Two of this study.

In a 1972 study by Kennelly, she found that benefits, salaries, leaves, and tenure are the items most often subject to collective negotiation. In terms of the type of bargaining model, the union model tends to exist in the community college; the managerial tends to exist in the public college; and the collegial model tends to exist in private colleges and universities. Willis (1977) attempted to determine the attitudes of academicians toward collective bargaining across three institutional types: two-year colleges; four-year colleges, and universities. He found that all academicians favored the passage of enabling legislation necessary for collective bargaining, but that older, experienced faculty were less in favor of such than were younger,

less experienced faculty. In yet a third general study re collective bargaining, Minus (1975) found that tenured faculty were less favorable toward collective bargaining than were nontenured faculty.

By institutional type, starting first with private colleges, Riley (1976) found that the following campus groups favored collective bargaining: nontenured faculty, women, humanities faculty, and faculty who teach at low prestige institutions. Milliken (1976) studied the influence of national bargaining agents such as the AFT, NEA, and AAUP. She found that the most threatened faculties selected either the AFT or NEA, and that more than the other two, the AAUP stresses protection of tenure and academic freedom. Rabinoff (1978) found that faculty still believe tenure was a reliable instrument for insuring academic freedom. Parr (1977) found that professors who did not favor collective bargaining were older and tenured. Storholm's findings (1975) are similar to those of Parr.

In public universities, McInnis (1972) found that faculty members who tended to favor collective bargaining were the younger, more liberal faculty. A distinction between tenured and nontenured faculty attitudes in this regard was not found. Wilkinson (1974) found that younger faculty members were more favorable toward collective bargaining than were older faculty members. Riley (1976) found no difference between attitudes of tenured and nontenured faculty, but did find that younger faculty were more inclined to favor collective bargaining than older faculty. Woolston (1976), on the other hand, found no statistically significant relationships toward collective bargaining based on either age or tenure status. In a 1976 study by Foster, he did find that younger faculty of lower rank, as compared with older faculty of higher rank, were more in favor of collective bargaining. With regard to academic rank, Gerry's findings (1976) are in accord with Foster's. Acosta's study of

Washington State University (1977) found that collective bargaining received greater support from tenured faculty than from nontenured faculty. At the University of Massachusetts, Bryant (1978) found that tenure status, rank, or age had little to do with a vote for or against faculty unionization. Almost identical findings were reported in Townsend's study (1978) of the University of Washington. In a similar study at the University of Maryland, Santor (1978) found that rank did relate to faculty attitudes re bargaining, but tenure and age did not. Quite interestingly, the studies showing no relationship between tenure status and attitudes toward collective bargaining are of rather recent vintage.

While the preceding paragraph focused on the large public university, this one will focus on state colleges. Jones (1976) found that more support for collective bargaining came from younger nontenured faculty. Armstrong (1975) found that instructors were most favorably inclined toward collective bargaining. McKeever (1978) found that collective bargaining had "not played a significant role in safeguarding professional status, faculty rights or academic freedom" (p. 2665A). Bullis' study (1977) of attitudes toward collective bargaining at Northeastern Illinois found no significant differences in terms of rank and tenure status.

In community colleges, Batz (1973) found that pre-existing tenure policies were not adversely affected by collective bargaining agreements. McDonald (1975) found that collective bargaining contracts vis a vis the use of explicit contractual provisions, delimited timelines as well as other requirements for the award of tenure. Falcone (1974) found that collective bargaining agreements did effect changes re policies on academic freedom. Smith (1976) found that attitudes toward collective bargaining in Virginia community colleges were not affected by rank or length of service.

By evaluating the evidence presented, what conclusions are warranted with

regard to tenure and collective bargaining considerations? First, the evidence appears to be mixed regarding attitudes toward collective bargaining by tenure status and rank. Early studies seemed to show that if tenured and of higher academic rank, the faculty attitude toward collective bargaining was less favorable than if not tenured and of lower academic rank. More recent studies, however, appear to suggest that such a distinction is no longer made. Second, in those studies which looked at the effect of collective bargaining on tenure and academic freedom, with the exception of the study by McKeever (1978), collective bargaining does not seem to jeopardize tenure and academic freedom.

With regard to this first conclusion, it is quite possible that because of not having the security of tenure, nontenured faculty sought to gain the due process protection already preserved through tenure awarded to the older faculty through the use of collective bargaining. With regard to the second conclusion, McKeever's findings can be considered either as an exception or as an example of things to come regarding tenure and collective bargaining. To answer the questions raised initially in this subpart, it does not now appear that tenure protections are adversely affected by collective bargaining. Further, it does appear that the bulk of faculty support for collective bargaining does come from nontenured younger faculty members rather than tenured older faculty members.

Though not within the scope of this paper, fruitful areas of additional study re collective bargaining appear to include the relationship of collective bargaining to faculty productivity, administrative relationships, distribution of power, and the teaching-learning process, and in sum, issues similar to those being explored in this paper regarding tenure.

Promotion and Tenure

Key inquiries relate to the relationship between tenure and promotion.

Do tenured professors have different views regarding promotion than nontenured professors, and if so, are those views because of tenure? One is able to find a host of books dealing with teaching and the teaching process. Examples would include those by Eble (1973, 1978), Lee (1967), MacKenzie (1970), Magid (1973), Mann et.al., and McKeachie (1978). These works, however, tend to focus on the mechanics of teaching and not on the relationships suggested for study.

There do appear to be several studies which do relate to the issue at hand. Palelko (1976) studied promotion and tenure criteria at a major university to see if department chairperson promotion and tenure criteria were similar to criteria for promotion and tenure reported in the literature. One of his major findings was that decisions, as compared with criteria, for promotion and tenure tend to be subjective, and, further, that such subjective decisions were not subject to measurement. Given the fact that tenured professors typically are involved in the tenure decision, and given further, increasing litigation in this area, more objectivity would be helpful. This may lead some junior faculty to make the charge that the real issues in tenure and promotion are not qualitative assessments, but subjective political evaluations, particularly in close decisions.

O'Toole (1975) found that senior faculty fail to demonstrate a sense of caring or, further, fail to protect the tenets of academic freedom or tenure for junior faculty. And Turner (1977) found that tenure rules and regulations in Alabama were in need of clarification and specificity. Board (1978) found that nontenured faculty members desired more specificity in tenure criteria while tenured faculty favored less specificity. Sowards (1975) attempted to determine the influence of selected factors of promotion at two specified universities. Part of his research design was to have respondents provide their responses in the context of the actual promotion practices and,

further, in the context of ideal promotion practices. He found that older, tenured individuals of higher rank reported more congruency between actual and ideal promotion practices than did younger, nontenured faculty.

What conclusions, if any, can be drawn from these studies? Even though the number of studies is small, it does appear that nontenured younger faculty desire more specificity in the promotion and tenure process than do tenured older faculty. Further, complaints about the process of promotion and tenure came not from the tenured ranks, but from the untenured ranks. Perhaps this is to be expected. Tenured faculty, therefore, do appear to have different views of the promotion process than do nontenured faculty.

One can conjecture, however, that these differences in perception of, or desire for, specificity in promotion procedures between tenured and nontenured faculty could possibly explain why younger nontenured faculty are more in favor of collective bargaining. McDonald (1975) found that collective bargaining contracts contained specific contractual language on a variety of items including the award of tenure. If promotion and tenure specificity is resisted by tenured faculty, the appropriate course of action for nontenured faculty would be to seek this specificity through collective bargaining. Again, while conjecture, this explanation does appear to be plausible.

Administrative Relationships and Tenure

This subpart will have a different, yet similar, focus to other subparts. The examination and analysis will be to determine whether administrators are supportive or nonsupportive of tenure and the effect such attitudes have on administrative-faculty relationships. Further, other considerations involving administrators and tenure will be explored.

There are several studies to show that the longer the tenure of an academic dean, the greater will be his/her dissatisfaction with faculty interpersonal relationships and the less will be his/her influence on faculty.

The latter result was found by Rooney (1978) and the former result was found by Schmitz (1977). Accordingly, increased job tenure of academic administrators does lead to decreased effectiveness and personal satisfaction of deans. But what about other relationships or observations?

Rubin (1975) found that faculty members denied tenure will respond differently to the decision. Chemists tend to blame themselves for the decision, while sociologists disputed the criteria used for the decision. Parker (1972) found differences by tenure status involving goal preferences for institutions. Pangallo (1973), on the other hand, found no such differences based on tenure status. Turner (1977) found that boards and administrators took positions divergent from faculty regarding the need of and procedures for tenure.

These findings are quite diverse and cover a wide range of topics. Few of any studies found show that because of tenure, faculty relationships are improved or hampered. In the same vein, few studies were found that showed administrators were opposed to tenure. This appears to be consistent with the findings in Part Two of this study which showed only a very small number of institutions had abolished tenure. One is tempted to speculate that the negative opinion of administrators toward tenure so frequently reported in the more popular literature may be opinion, rather than fact. Ironically, much of the tenure debate has been a debate not exclusively between administrators versus faculty, but, also, between faculty versus faculty. Alternatively, the literature does show a much stronger division between faculty and administrators over the use of collective bargaining.

To avoid continuing this discussion beyond the parameters of relevance to the overall subject of this paper, it should be noted that studies regarding administrative-faculty relationships and tenure are much too incomplete to warrant any conclusions of significance. Additional study of these relationships is suggested.

Summary

A summary of the findings of the various subparts will be attempted. Regarding teaching effectiveness, nontenured teachers are not more effective teachers than tenured teachers. Where differences have been found, tenured teachers have usually been rated as more effective than nontenured teachers. Further, these findings appear to hold across institutional type.

With regard to job satisfaction and motivation, it does appear that tenured teachers express higher levels of job satisfaction than do nontenured teachers. Further, faculty are intrinsically motivated to be faculty members. As with teaching effectiveness, these findings appear to hold constant across institutional type.

The section on productivity and aging reported studies which show that tenured faculty are not less productive after they achieve tenure and, further, that productivity does not necessarily decrease with advanced age. These findings, however, do appear to be limited to particular institutional types.

Studies on collective bargaining show that, generally, tenured faculty favor collective bargaining less than nontenured faculty, although the more recent studies seem to find no difference between the groups. Further, it does not yet appear that collective bargaining has adverse effects on academic freedom and tenure.

The studies on promotion and administrative-faculty relationships probably represent the areas where the findings are most incomplete. With regard to promotion, it does appear that nontenured faculty would prefer to have more specificity regarding tenure criteria and decisions than is currently desired by tenured faculty. Studies involving administrative-faculty relationships and tenure tend to be few in number and conceptually do not treat the issue with sufficient breadth to warrant substantive conclusions.

The limitation inherent in most of the studies is that the issue of causation is not sufficiently dealt with. Why is one a more effective teacher if tenured? Why do tenured faculty express higher levels of job satisfaction? Why are tenured faculty more productive than nontenured faculty? While the studies may not have dealt adequately with the issue of causality, they do provide evidence to rebut the rampant opinion that tenured professors are ineffective teachers, and, further, that teachers become unproductive and incompetent after tenure is awarded.

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Conclusions

Just as tenure has symbolic institutional considerations, so, too, do the attacks on tenure appear to have symbolic overtones. O'Neal (1973) and Blackburn (1972) have elsewhere argued this point:

> In the final analysis, then, my initial hunch was on target. It's not tenure to be attacked, but something else again. That 'something else' concerns personnel practices. Administrative inequities, are the target for concern, not tenure. (Blackburn, 1972, p. 47)

> The role of tenure may be more symbolic than real. Behind the symbol, the deeper concern of those who mounted the recent attack on tenure is nothing less than the prerogatives of American professors in American colleges and universities. The academic profession, not the tenure system, is the real object of the attack. (O'Neal, 1973, p. 178)

Both Blackburn and O'Neal admit, however, that a misdirected attack does not warrant inertia with regard to improving institutional tenure policies.

This paper has not been designed to be either an attack on or a defense for tenure. Nevertheless, the evidence reviewed appears to warrant the continued support of tenure (with appropriate modifications as necessary) as the best method to protect academic freedom. As such, a conclusion of the paper is that tenure ought to be continued in higher education.

The conclusions of this study, likewise, indicate that the evidence is substantially lacking to support the various criticisms regarding the "known by everybody weaknesses of the tenure system." In fact, there does not appear to be a substantive end such as a tenure system. Rather, tenure is merely a procedural device used to protect academic freedom. It is nothing more and nothing less. Further, tenure procedures appear to be institution specific. In other words, tenure procedures may vary from institution to institution.

The search through the literature has, additionally, indicated the variety and types of improvements and modifications which can be used to enhance tenure policies. Many of these have already been discussed elsewhere in this paper. Interestingly, nowhere in the literature did any of the proponents of tenure argue for the concept of tenure as lifetime employment or sinecure, not subject to review or performance evaluation. Yet, persons widely believe that tenure produces these results. As Blackburn has implied, perhaps such beliefs are examples reflective of instances of administrative nonfeasance or misfeasance (hopefully, not malfeasance). Presidents, boards, and other administrators ought to forthrightly speak on behalf of tenure, helping to educate the public as to what tenure is and does and, further, what it does not involve. Of course, pursuing such a course of action is not as "fun" or as "popular" with either the news media or legislators who seemingly are always searching for elusive societal scapegoats. As Blackburn (1972) notes, this educative task is an important task which must be performed; "This is no minor task for a president to perform. It is a noble one" (p. 47). In sum, tenure concerns should be directed more toward the defense and improvement of tenure than to searching for burial grounds necessary after its demise.

Finally, even though the overall evidence from this study affirms the systemic benefits of tenure, many of the evidentially related studies are lacking in causality. Many studies were found which had, for example, as a hypothesis: those who hold tenure are more productive than those who do not hold tenure. On the other hand, few studies were found which had as their hypothesis: because one has tenure, one is more productive than one who does not hold tenure. The evidence supporting tenure would appear to be stronger coming from the latter study than the former. More of it is needed. Never-

theless, from a systemic evidence standpoint, opponents of tenure have not yet established either the limitations of tenure or the advantages of "alternatives to tenure" policies.

The story is told (LeShana, 1979) by Perelman of the man in the Middle East, Mulla Nasrudin, who was seen by another man as he was searching for something on the ground. "What have you lost, Mulla?" he asked. "My key," said Mulla. So the man went down on his knees, too, and they both looked for it. After a time the other man asked, "Where exactly did you drop it?" "In my own house," said Mulla. "Then why are you looking here?" asked the other man. "There is more light here than inside my house," was the answer. Perelman goes on to say:

> There are few concerned with American higher education today who do not recognize that it is in a growing state of crisis. Yet like the incomparable Mulla Nasrudin, most of the leaders of the higher education system have been looking for solutions to the crisis in places where it may be easiest and most convenient to look but not in the place where the roots of the crisis are located (p. 96).

So, too, with the tenure debate. The search for answers will not be found in the bright light of tenure opinion, but, rather, in the sometimes dim light of tenure evidence. May the search continue with integrity.

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